

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	<b>No. 3:09-cr-00240-4</b>
	)	<b>3:09-cr-00240-9</b>
<b>v.</b>	)	<b>3:09-cr-00240-15</b>
	)	<b>3:09-cr-00240-17</b>
<b>HOWARD COLEMAN;</b>	)	<b>3:09-cr-00240-23</b>
<b>CECIL WHITMON, III; ANTONIO LEE;</b>	)	
<b>LEONARD BAUGH; PATRICK SCOTT</b>	)	


**ORDER**

Pending before the Court is Defendant Antonio Lee's Motion to not Designate the Alternate Jurors as "Alternate Jurors" ("Motion"). (Doc. No. 1622.) Defendants Patrick Scott, Howard Coleman, Leonard Baugh, and Cecil Whitmon, III, have joined the Motion. The Court heard arguments on the Motion at a hearing on January 22, 2013.

Having considered the parties' arguments, the Court **DENIES** the Motion. The Court will instruct the alternate jurors that they must pay attention throughout the trial because they might be called to take the place of other jurors.

It is so ORDERED.

Entered this the 29<sup>th</sup> day of January, 2013.

  
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JOHN T. NIXON, SENIOR JUDGE  
UNITED STATES DISTRICT COURT